

going to prosecute this effort successfully. I think it is very important that we put this forward, that we pass it.

This is not taking the sanctions off completely. It is providing the President with waiver authority, national security waiver authority. There has to be a national security interest. If it is not needed, if the reason to have it is not there, the President doesn't have the authority to exercise it. So we should provide him that authority.

I am introducing this bill tonight. I urge my colleagues to look very closely at this issue, and I hope they will sign onto the bill so we can move this forward and allow the President the tools he needs to prosecute this war on terrorism effectively.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 169—RELATIVE TO THE DEATH OF THE HONORABLE MIKE MANSFIELD, FORMERLY A SENATOR FROM THE STATE OF MONTANA

Mr. DASCHLE (for himself, Mr. LOTT, Mr. BAUCUS, Mr. BURNS, Mr. BYRD, Mr. STEVENS, Mr. INOUE, Mr. THURMOND, Mr. KENNEDY, Mr. HOLLINGS, Mr. LEAHY, Mr. REID, Mr. AKAKA, Mr. ALLARD, Mr. ALLEN, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. CAMPBELL, Ms. CANTWELL, Mrs. CARNAHAN, Mr. CARPER, Mr. CHAFEE, Mr. CLELAND, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. FRIST, Mr. GRAHAM, Mr. GRAMM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mr. HELMS, Mr. HUTCHINSON, Mrs. HUTCHISON, Mr. INHOFE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KERRY, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Mr. MILLER, Mr. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. NICKLES, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH of New Hampshire, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. THOMAS, Mr. THOMPSON, Mr. TORRICELLI, Mr. VOINOVICH, Mr. WARNER, Mr. WELLSTONE, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 169

Whereas Mike Mansfield, the son of Irish immigrants, was born in 1903 in New York City and raised in Great Falls, Montana;

Whereas Mike Mansfield was the youngest Montanan to serve in World War One, having enlisted in the United States Navy at the age of fourteen;

Whereas Mike Mansfield spent eight years working in the copper mines of Montana;

Whereas Mike Mansfield, at the urging of his wife Maureen, concentrated his efforts on education, obtaining both his high school diploma and B.A. degree in 1933, an M.A. in 1934, and became a professor of history at the University of Montana at Missoula, where he taught until 1952;

Whereas Mike Mansfield was elected to the House of Representatives in 1943 and served the State of Montana with distinction until his election to the United States Senate in 1952;

Whereas Mike Mansfield further served the State of Montana and his country in the Senate from 1952 to 1976, where he held the position of Majority Leader from 1961 to 1976, longer than any Leader before or since;

Whereas Mike Mansfield continued to serve his country under both Democratic and Republican administrations in the post of Ambassador Extraordinary and Plenipotentiary to Japan from 1977 to 1989; and

Whereas Mike Mansfield was a man of integrity, decency and honor who was loved and admired by this Nation: Now therefore be it

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Mike Mansfield, formerly a Senator from the State of Montana.

*Resolved*, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased;

*Resolved*, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the deceased Senator.

#### SENATE RESOLUTION 170—HONORING THE UNITED STATES CAPITOL POLICE FOR THEIR COMMITMENT TO SECURITY AT THE UNITED STATES CAPITOL, PARTICULARLY ON AND SINCE SEPTEMBER 11, 2001

Mr. WELLSTONE (for himself, Mr. DODD, and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 170

Whereas the Capitol is an important symbol of freedom and democracy across the United States and throughout the world, and those who safeguard the Capitol safeguard that freedom and democracy;

Whereas millions of people visit the Capitol each year to observe and learn the workings of the democratic process;

Whereas the United States Capitol Police force was created by Congress in 1828 to provide security for the United States Capitol building;

Whereas, today the United States Capitol Police provide protection and support services throughout an array of congressional buildings, parks, and thoroughfares;

Whereas the United States Capitol police provide security for Members of Congress, their staffs, other government employees, and many others who live near, work on, and visit Capitol Hill;

Whereas the United States Capitol Police have successfully managed and coordinated

major demonstrations, joint sessions of Congress, State of the Union Addresses, State funerals, and inaugurations;

Whereas the United States Capitol Police have bravely faced numerous emergencies, including three bombings and two shootings (the most recent of which in 1998 tragically took the lives of Private First Class Jacob 'J.J.' Chestnut and Detective John Michael Gibson);

Whereas the horrific events of September 11, 2001 have created a uniquely difficult environment, requiring heightened security, and prompting extra alertness and some strain among staff and visitors;

Whereas the U.S. Capitol Police force has responded to this challenge quickly and courageously, including by facilitating the evacuation of all of the buildings under their purview, as well as the perimeter thereof;

Whereas the United States Capitol Police Department has since instituted 12-hour, 6-day shifts, requiring that officers work 30 hours of overtime each week to ensure our continued protection;

Now, therefore, be it

*Resolved by the Senate*, That—

(1) the Senate hereby honors and thanks the United States Capitol Police for their outstanding work and dedication, during a period of heightened security needs on the day of September 11, 2001 and thereafter;

(2) when the Senate adjourns on this date they shall do so knowing that they are protected and secure, thanks to the commitment of the United States Capitol Police.

#### SENATE CONCURRENT RESOLUTION 77—EXPRESSING THE SENSE OF THE CONGRESS THAT A POSTAGE STAMP SHOULD BE ISSUED TO HONOR COAL MINERS

Mr. MCCONNELL submitted the following concurrent resolution; which was referred to the Committee on Governmental Affairs:

S. CON. RES. 77

Whereas the Nation is greatly indebted to coal miners for the difficult and dangerous work they have performed to provide the fuel needed to operate the Nation's industries and to provide energy to homes and businesses;

Whereas millions of workers have toiled in the Nation's coal mines over the last century, risking both life and limb to fuel the Nation's economic expansion;

Whereas during the last century over 100,000 coal miners have been killed in mining accidents in the Nation's coal mines, and 3,500,000 coal miners have suffered non-fatal injuries;

Whereas 100,000 coal miners have contracted Black Lung disease as a direct result of their toil in the Nation's coal mines;

Whereas coal provides 50 percent of the Nation's electricity and is an essential fuel for industries such as steel, cement, chemicals, food, and paper;

Whereas the United States has a demonstrated coal reserve of more than 500,000,000,000 tons, with an estimated 275,000,000,000 tons of recoverable reserves which, at current production rates, represents about 275 years of recoverable coal reserves;

Whereas these coal reserves represent about 95 percent of all fossil fuel reserves in the United States, and about ¼ of the world's known coal reserves;

Whereas the recoverable coal reserves in the United States have the energy equivalent of about 1,000,000,000,000 barrels of oil,

which is comparable to all of the world's known oil reserves;

Whereas since the energy crises of the 1970s, United States' dependence on foreign oil has grown substantially, with imported oil accounting for 39 percent of all oil consumed in 1973 and about 60 percent today;

Whereas energy security is an integral component of the Nation's economy and national security;

Whereas coal mining continues to be the economic engine for many communities, providing jobs to areas with little economic diversity;

Whereas coal mining provides economic benefit far beyond its direct revenue, including billions of dollars in economic output and household earnings and hundreds of thousands of jobs in other industries; and

Whereas issuing a postage stamp to honor the Nation's coal miners is fitting and proper: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—*

(1) the United States Postal Service should issue a stamp honoring the Nation's coal miners; and

(2) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1847. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1447, to improve aviation security, and for other purposes; which was ordered to lie on the table.

SA 1848. Mr. BAYH (for himself, Mr. VOINOVICH, and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1849. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1850. Mr. SMITH, of New Hampshire submitted an amendment intended to be proposed by him to the bill S. 1510, to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes; which was ordered to lie on the table.

SA 1851. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 1447, to improve aviation security, and for other purposes; which was ordered to lie on the table.

SA 1852. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

SA 1853. Mr. CLELAND submitted an amendment intended to be proposed by him to the bill S. 1447, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 1847. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1447, to improve aviation security, and for other purposes; which was ordered to lie on the table; as follows:

Strike the section heading for section 14 and insert the following:

#### SEC. 14. REPORT ON NATIONAL AIR SPACE RESTRICTIONS PUT IN PLACE AFTER TERRORIST ATTACKS THAT REMAIN IN PLACE.

(a) REPORT.—On the date of the enactment of this Act, the President shall submit to the committees of Congress specified in subsection (b) a report containing—

(1) a description of each restriction, if any, on the use of national airspace put in place as a result of the September 11, 2001, terrorist attacks that remains in place as of the date of the enactment of this Act; and

(2) a justification for such restriction remaining in place.

(b) COMMITTEES OF CONGRESS.—The committees of Congress specified in this subsection are the following:

(1) The Select Committee on Intelligence of the Senate.

(2) The Permanent Select Committee on Intelligence of the House of Representatives.

#### SEC. 15. DEFINITIONS.

SA 1848. Mr. BAYH (for himself, Mr. VOINOVICH, and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill S. 1447, to improve aviation security, and for other purposes; which was ordered to lie on the table; as follows:

In section 19, strike the section heading and insert the following:

#### SEC. 19. MUTUAL PASSENGER ASSURANCE.

(a) REQUIREMENT.—Chapter 417 of title 49, United States Code, is amended by adding at the end of subchapter I the following new section:

##### “§ 41722. Mutual passenger assurance

“(a) REQUIREMENT TO HONOR PASSENGER TICKETS OF OTHER CARRIERS.—Each air carrier referred to in subsection (b) that provides scheduled air passenger service on an air passenger route shall, to the extent practicable, provide air transportation to passengers ticketed for air transportation on that route by an air carrier that suspends, interrupts, or discontinues air passenger service on the route by reason of an act of war or terrorism, or insolvency or bankruptcy of the carrier.

“(b) APPLICABILITY.—This section applies to an air carrier that receives assistance under section 101 of the Air Transportation Safety and System Stabilization Act (Public Law 107-42).”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 41721 the following new item:

“41722. Mutual passenger assurance.”

#### SEC. 20. DEFINITIONS.

SA 1849. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 1447, to improve aviation security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the section relating to air marshals, insert the following subsection:

( ) AUTHORITY TO APPOINT RETIRED LAW ENFORCEMENT OFFICERS.—Notwithstanding any other provision of law, the Secretary of Transportation may appoint an individual who is a retired law enforcement officer or a retired member of the Armed Forces as a Federal air marshal, regardless of age, if the individual otherwise meets the background and fitness qualifications required for Federal air marshals.

SA 1850. Mr. SMITH of New Hampshire submitted an amendment intended to be proposed by him to the bill S. 1510, to deter and punish terrorists acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the bill, insert the following:

#### SEC. \_\_\_\_ . ENFORCEMENT OF CERTAIN ANTI-TERRORISM JUDGMENTS.

(a) SHORT TITLE.—This section may be cited as the “Justice for Victims of Terrorism Act”.

(b) DEFINITION.—

(1) IN GENERAL.—Section 1603(b) of title 28, United States Code, is amended—

(A) in paragraph (3), by striking the period and inserting “; and”;

(B) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(C) by striking “(b)” through “entity—” and inserting the following:

“(b) An ‘agency or instrumentality of a foreign state’ means—

“(1) any entity—”; and

(D) by adding at the end the following:

“(2) for purposes of sections 1605(a)(7) and 1610 (a)(7) and (f), any entity as defined under subparagraphs (A) and (B) of paragraph (1), and subparagraph (C) of paragraph (1) shall not apply.”

(2) TECHNICAL AND CONFORMING AMENDMENT.—Section 1391(f)(3) of title 28, United States Code, is amended by striking “1603(b)” and inserting “1603(b)(1)”.

(c) ENFORCEMENT OF JUDGMENTS.—Section 1610(f) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking “(including any agency or instrumentality or such state)” and inserting “(including any agency or instrumentality of such state), except to the extent of any punitive damages awarded”; and

(B) by adding at the end the following:

“(C) Notwithstanding any other provision of law, moneys due from or payable by the United States (including any agency or instrumentality thereof) to any state against which a judgment is pending under section 1605(a)(7) shall be subject to attachment and execution with respect to that judgment, in like manner and to the same extent as if the United States were a private person, except to the extent of any punitive damages awarded.”; and

(2) by striking paragraph (3) and adding the following:

“(3)(A) Subject to subparagraph (B), upon determining on an asset-by-asset basis that a waiver is necessary in the national security interest, the President may waive this subsection in connection with (and prior to the enforcement of) any judicial order directing attachment in aid of execution or execution against any property subject to the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations.

“(B) A waiver under this paragraph shall not apply to—

“(i) if property subject to the Vienna Convention on Diplomatic Relations or the Vienna Convention on Consular Relations has been used for any nondiplomatic purpose (including use as rental property), the proceeds of such use; or

“(ii) if any asset subject to the Vienna Convention on Diplomatic Relations or the